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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fifth session
Item 15 of the provisional agenda

CONTEMPORARY FORMS OF SLAVERY

Note by the Secretary-General pursuant to Sub-Commission resolution 1992/3

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/3, entitled "Contemporary forms of slavery", adopted on 14 August 1992, requested the Secretary-General to seek the views of the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women on the desirability of obtaining an advisory opinion on the validity and legal effect of reservations to the Convention on the Elimination of All Forms of Discrimination against Women and to invite them, in their replies, to make such further observations on the issue of reservations to this Convention as they might consider appropriate. It also requested the Secretary-General to report the results of the above consultations to the Sub-Commission at its forty-fifth session.

2. In compliance with the above requests, the Secretary-General addressed letters to the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women on 23 October 1992.

3. On 23 June 1993, the Division for the Advancement of Women, on behalf of the Committee on the Elimination of Discrimination against Women and of the Commission on the Status of Women, sent a communication to the Secretary-General.

4. With regard to the action taken by the Committee in response to Sub-Commission resolution 1992/3, the Committee recalled that it had raised the issue of reservations to the Convention on the Elimination of All Forms of Discrimination against Women at its previous sessions and that, at its eleventh session, it had recommended in its general recommendation 20, inter alia, that, in connection with preparations for the World Conference on Human Rights in 1993, States parties should raise the question of the validity and the legal effect of reservations to the Convention in the context of reservations to other human rights treaties. It had also been recommended that States parties should reconsider such reservations with a view to strengthening the implementation of all human rights treaties. The Committee therefore considered that it must be made clear that its particular concern was to have an opinion that might assist Governments to reconsider their reservations with a view to withdrawing them. The Committee therefore decided that it should support steps taken in common with other human rights treaty bodies to seek an advisory opinion from the International Court of Justice that would clarify the issue of reservations to the human rights treaties and thereby assist States parties in their ratification and implementation of those international instruments. Such an opinion would also help the Committee in its task of considering the progress made in the implementation of the Convention.

5. In connection with women's rights and concerns to be considered under the substantive items of the provisional agenda for the World Conference on Human Rights, the Division for the Advancement of Women stated that the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women had recommended the World Conference to take, inter alia, the following measure:

> "Reservations in all human rights treaties should be carefully examined, especially those that might raise questions concerning their compatibility with the object and purpose of the treaties."

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